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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,338	11/07/2001	John T. Wood	P05359US0	3876
27139	7590	03/29/2004	EXAMINER	
MCKEE, VOORHEES & SEASE, P.L.C. ATTN: MAYTAG 801 GRAND AVENUE, SUITE 3200 DES MOINES, IA 50309-2721			STINSON, FRANKIE L	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,338

Applicant(s)

WOOD, JOHN T.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/7/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-10, 13-16 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Germany 3,337,369 (Germany'369) in view of either Cotton or Rummel or Davis.

Re claims 1 and 10, Germany'369 is cited disclosing a multiple compartment dishwasher comprising: a first dishwasher compartment (2.sub.1) adapted for independent washing; a second dishwasher compartment (2.sub.2) adapted for independent washing; a first plurality of electrical energy using dishwasher components (not shown) associated with the first dishwasher compartment; a second plurality of electrical energy using dishwasher components associated with the second dishwasher compartment; an electrical control system (see attached abstract) operatively connected to the first plurality of electrical energy using dishwasher components and the second plurality of electrical energy using dishwasher compartments and the electrical control system adapted for providing simultaneous use of the plurality of dishwasher compartments that differs from the claims only in the recitation of the control means managing the distribution of power. The patents to Davis, Cotton and Rummel are cited disclosing in an appliance control system for dual appliances, the arrangement of providing a control system where the power is managed between the dual appliances. It therefore would have been obvious to one having

ordinary skill in the art to modify the device of Germany'369, to include managing control means as taught by either Davis, Rummel or Cotton, for the purpose of preventing an electrical overload to the system and since Cotton discloses the control is not limited to an particular arrangement (see col. 3, lines 52-68 through col. 4, lines 1-8). Re claims 4, 5, 6, 7, 13 and 15, no patentable distinction is deemed to exist between the intelligent controller/microcontroller/microprocessor as connected to the washer components claimed the corresponding elements as taught by either Rummel, Davis or Cotton. It should also be noted that the bus is deemed to be inherent in the control means/circuit of the applied references as is notoriously known in the art. Re claim 8, 14 and 16, Cotton, Rummel and Davis disclose the interface. Re claim 9, Rummel discloses the sensor (protection switch 27). Re claim 17, Davis discloses the prevention of simultaneous components (see abstract).

3. Claims 2, 3, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Germany'369 in view of Davis, Cotton or Rummel as applied to claims 1 and 10 above, and further in view of Patton et al.

Claims 2 and 11 define over Germany'369 only in the recitation of the isolating circuit. Patton is cited disclosing an isolating circuit for a dishwasher. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Germany'369, to include a isolation circuit as taught by Patton for the purpose of isolating the circuits since Germany'369 disclose that the components are independent. Re claims 3 and 12, Patton also discloses the optocoupler (see col. 1, line 65).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Sargeant et al.'081 Kim et al., Kelesy, O Breartuin, Dolan, Jacobs, Lim et al., Tuller et al., Webber, Germany'039, EPO'010, Drrazzani, Germany'568, Germany'834, Krupsky and Fox et al., note the control means.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached M-F from 5:30 a.m. to 2:00 p.m. and some Saturdays from 5:30 a.m. to 11:30 a.m.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to TECHNOLOGY CENTER 1700 (571) 272-1700.

Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact the TEAM LEADER Ms. Nicol Scott (571) 272-1045.

fls



FRANKIE L. STINSON
Primary Examiner
Art Unit 1746